

EB27DN (LA FW)

NIGHT LEAD RUBY-TONAHILL (140)

AUSTIN, TEX., FEB. 18 (AP)—A PETITION, SIGNED BY CONDEMNED SLAYER JACK RUBY, WAS RECEIVED TODAY BY THE TEXAS COURT OF CRIMINAL APPEALS ASKING REMOVAL OF JASPER ATTORNEY JOE TONAHILL AS RUBY'S COUNSEL.

NO ACTION WAS TAKEN IMMEDIATELY ON THE DISMISSAL MOTION, AND COURT CLERK GLENN HAYNES SAID HE DID NOT EXPECT ANY THIS WEEK.

THE COURT WILL HEAR MARCH 10 RUBY'S APPEAL FOR COMMUTATION OF HIS DEATH SENTENCE, ASSESSED ALMOST A YEAR AGO AFTER HE FATALLY WOUNDED PRESIDENTIAL ASSASSIN LEE HARVEY OSWALD.

RUBY'S BROTHERS AND SISTERS HAVE TRIED SEVERAL TIMES TO REMOVE TONAHILL FROM THE CASE, BUT HE HAS REFUSED TO WITHDRAW.

"I CAN'T LEGALLY OR MORALLY QUIT HIM," HE SAID. "ANY DOCUMENT HIS BROTHERS AND SISTERS GOT HIM TO SIGN IS WORTHLESS BECAUSE HE IS INSANE."

TONAHILL WAS ONE OF THREE ATTORNEYS WHO HANDLED RUBY'S DEFENSE IN THE MONTH-LONG DALLAS TRIAL LAST FEBRUARY AND MARCH.

JAC11PCS